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Date Not Specified

**Notice of meeting / Hysbysiad o gyfarfod:**

## **Local Access Forum**

**Tuesday, 20th February, 2018 at 2.00 pm,  
Shire Hall - Monmouth**

### **AGENDA**

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2.	Declarations of interest	
3.	To confirm and sign the minutes of the Monmouthshire Local Access Forum meeting of 20 November 2017	1 - 4
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5.	ROWIP Review: Assessment of the Current ROWIP (report to follow)	
6.	Potential Lower Wye Valley Catchments Green Infrastructure and Natural Flood Management Project / UCR's in Tintern/Angidy	7 - 8
7.	Future Work Programme	
8.	Date of next meeting: to be agreed.	

**Paul Matthews**

**Chief Executive / Prif Weithredwr**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

Belsten  
Bilsborough  
Brooke  
Clarke  
Fairey  
Hampshire  
Jones  
A. Webb

## Public Information

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### **Welsh Language**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Sustainable and Resilient Communities

### Outcomes we are working towards

#### **Nobody Is Left Behind**

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

#### **People Are Confident, Capable and Involved**

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

#### **Our County Thrives**

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

### Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

### Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

## Terms of Reference

Monmouthshire Local Access Forum is the statutory Local Access Forum for Monmouthshire (excluding that part of the county that falls into the Brecon Beacons National Park), as required under the Countryside & Rights of Way Act 2000.

The function of the Forum is to advise the local authority, Natural Resources Wales and others, as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area, and to advise and assist with the implementation of the Public Rights of Way Improvement Plan.

## Membership

Members of the forum are appointed by the “Appointing Authority” (Monmouthshire County Council in accordance with the relevant regulations. The current membership of the forum is as follows:

Mr John Askew

Mrs Patricia Belsten

Mrs Irene Brooke

Mrs Anthea Fairey

Mrs Sheila Hampshire

Ms Elizabeth Hepburn

Ms Gwyneth Jones

Mr Phil Mundell

Mr David Smith

Mr Mark Storey

Mrs Anne Underwood (Deputy Chair)

Cllr Ann Webb (the “Appointing Authority” representative)

Observers;

Representatives from Monmouthshire County Council and Natural Resources Wales



# Agenda Item 3

## MONMOUTHSHIRE LOCAL ACCESS FORUM

### Minutes of the meeting held on

Monday 20 November 2017, 1:30pm at Gilwern Outdoor Centre

#### PRESENT:

Members:	Anne Underwood – Chair	AU
	Irene Brooks	IB
	Sylvia Fowles	SF
	Anthea Fairey	AF
	Gwyneth Jones	GJ
	Phil Mundell	PM
	Sheila Hampshire	SH
NRW:	Sarah Tyndall	ST
MCC:	Matthew Lewis	ML
	Ruth Rourke	RR
Minutes:	Jayne Jones	JJ

#### 1. Introductions/Apologies

Introductions made.

Apologies received from Pat Belsten, David Smith, Ann Webb, Mark Storey, and Alan Clarke

#### 2. Declarations of Interest

None noted

#### 3. To confirm and sign the minutes of the Monmouthshire Local Access Forum (LAF) meeting of 7 September 2017

IB stated she felt the minutes in respect of the response to the consultation paper were not a full representation of the discussion. However it was noted that the response sent to Welsh Government (see item 4) had captured all of the issues discussed. Minutes of previous meeting agreed and signed by AU.

#### 4. Response to the Welsh Government Consultation Paper: Taking Forward Wales' Sustainable Management of Natural Resources

The response to the consultation paper submitted to Welsh Government (WG) was noted. AU expressed concerns about how the changes proposed in the paper can be put into practice and their financial implications. ML advised that Monmouthshire County Council (MCC) had submitted a separate response which reflected many of the same issues that the LAF had raised. RR recently attended the Wales National Access Forum meeting. WG had received a large number of representation and that with the cabinet reshuffle, which has led to a new minister taking responsibility, may affect the speed of WG's response. An initial analysis to the responses is

unlikely to be available until New Year. There is no indication of any timescale for legislative change and so we need to carry on working with existing legislation.

## **5. Prioritising claims for Definitive Map Modification Orders**

ML introduced the report. As the prioritisation of Definitive Map Modification Orders claims (DMMO claims) was last considered in 2004 it was timely to review the approach. Since 2004 a prioritisation scheme had been successfully introduced for maintenance and enforcement issues. Whilst there is a fundamental difference in the purpose and details of the priority systems there may be some merit in contrasting the intent / principles behind the two systems.

The original intent behind reviewing the claims prioritisation had been a claim made in the Wye Valley which had raised some issues over the existing approach. This claim would if successful link existing rights of way / access to public forest. However in this case a direction has now been received from the Planning Inspectorate on behalf of Welsh Ministers to make a determination within 12 months. Such a direction although very unusual can be made by Welsh Ministers in response to an applicant's request after 12 months of non-determination.

Guidance indicates that the existence of a claims priority policy is one of the matters that will be taken into account in deciding whether or not to make a direction. Until now the authority has been able to defend requests for direction on this basis, but in this recent case the inspector took a contrary view. It therefore remains appropriate and timely to review the claims priority policy.

RR added that each claim the authority receives, needs to be processed fairly and equally. The existing policy broadly deals with claims in date order of receipt unless there are specified circumstances why a claim can be brought forward. As an example one claim was fast tracked on the basis of legal advice. It involved owners of a property having difficulty selling a property. However in general the approach has been to limit moving claims forward unless they fulfil one of the current criteria as it can be unfair to others.

RR said MCC's list is quite small compared to other LAs and it is a requirement due to legislation for the Register to list all old, as well as new claims. Discussion took place amongst members as to whether the claims could be colour coded, or older ones listed at the bottom, to make it more user friendly.

IB expressed concerns that there may be consideration of other issues, e.g. discrepancies noted as a result of quality assurance of records, in progress that are not listed, so how would the public know about these and that everyone has the right to be consulted. RR confirmed that all Section 53 application claims have to be listed in the public register. All current cases the Countryside Service is dealing with which do not have an application are also shown in the Section 52 Register. All known anomalies are shown in each community file. They may or may not be resolved by evidential modification order process. The relationship between these two strands of work was discussed along with the resources available to address the issues and it was noted that MCC only has one Definitive Map Officer.

Members discussed whether the circumstances currently used to take a claim out of date order required review. The potential to reflect wider community benefit, as within the task prioritisation scheme, was discussed, possibly through consideration of the contribution of any claimed route to improved connectivity of the network, including higher rights and if there was particular pressure on parts of the existing network. Potentially such claims could take higher priority than those which did not significantly add to wider countryside access opportunities. However in discussion it was noted that any revised approach has to be both fair to existing applicants and practical to apply in an equitable manner.



Discussion also took place about how the process could be made more efficient perhaps by placing a much greater emphasis on the applicant to undertake the core research to support their claim. RR explained the steps that had already been taken to change the process with the claimant being advised and asked to provide more supporting information before submitting their claim. It was noted that whatever steps were taken on new claims the historic claims which were often accepted with limited evidence remain to be dealt with. SF suggested an independent person make a decision on historic cases. AU suggested this agenda item could be discussed at a future National Access Forum or Chair's meeting.

**Action – RR and ML will reflect on the discussion and prepare a draft proposal for consideration at a future meeting of the LAF**

## **6. Chair's report of Meeting of LAF Secretaries and Chairs 5 October 2017**

AU and RR were present. AU said 16,000 responses submitted to consultation document. LAF's responses were considered as balanced submissions. No representative from WG was present. AU concerned the LAFs are getting pushed down the system. The next meeting is in Welshpool and fears that South Wales may be poorly represented. RR said NRW were present and are quite supportive of LAFs and see the meetings and their views, as important.

ST explained that NRW are very aware of the need to tread carefully, not to be too dominant and take away from the LAFs, but to support their autonomy.

RR outlined a recent liaison meeting between MCC and NRW which had been useful in discussing a number of key local access issues. NRW through its public forest estate is the largest manager of public access land in Monmouthshire and new ways of working need to be established. A further liaison meeting is shortly to take place to address more strategic issues.

PM expressed his personal view that he has found NRW 'obstructive' when trying to organise an event. IB felt the NRW website is not welcoming and seems to contradict 'open access'. Members also raised issues around NRW's communications. ST responded that she understood and confirmed she is not hearing anything new, as similar issues are being presented by other groups.

ST confirmed that NRW have the desire to work together to address local access issues and to help overcome their constraints of lack of staff and resources.

## **7. Future Work Programme**

ML to circulate the Active Travel Consultation and informed the forum that a workshop will be held on 6 December 2017 in conjunction with this. Strategic Cycling Group. LAF members are welcome to attend.

**Action – ML to circulate the Active Travel Consultation**

Rights of Way Improvement Plan (ROWIP) needs to be the main focus and to be discussed at the next meeting.

Alternative Delivery Model – No final decision as yet. Progress to be reported to a future meeting.

AU asked if any sub groups need to assist in the ROWIP process. RR said she would confirm if this is needed or not.

**Action - RR to confirm if sub groups needed to assist in the ROWIP process**

**8. Date of next meeting**

**To be arranged** for end of January / early February 2018.

DRAFT

# Monmouthshire Local Access Forum

**AGENDA ITEM: 4**

**SUBJECT: ALTERNATIVE DELIVERY MODEL FOR TOURISM, LEISURE, CULTURE  
& YOUTH SERVICES**

**DATE: 20 FEBRUARY 2018**

**1. PURPOSE:**

- 1.1 To update the Local Access Forum on the proposed new delivery model for Tourism, Leisure, Culture & Youth Services, including countryside access services.

**2. RECOMMENDATION:**

- 2.1 For the Forum's information.

**3. BACKGROUND:**

- 3.1 As the Forum noted on 22 May 2017 the Council has been considering options for the future delivery of Tourism, Leisure, Cultural & Youth Services (TLCY), including countryside services, countryside access sites and rights of way.
- 3.2 TLCY services are the dominant providers of a whole range of community culture, sports and leisure facilities, from leisure centres and swimming pools, outdoor education, attractions to country parks and rights of way.
- 3.3 The Council has completed a lengthy and wide ranging strategic appraisal of options to provide an optimal future for this set of services instrumental to the wellbeing and life chances of residents, businesses and visitors to our county. The aim has been to secure the most viable, sustainable and supportable future for TLCY services in order to optimise the contribution they are able to make to the wellbeing of Monmouthshire residents, throughout their lives.
- 3.4 This review was considered by Cabinet on 29 January 2018 who resolved to approve the Full Business Case, Business Plan and associated reports to inform the establishment of a new entity - an Alternative Delivery Model (ADM) - to secure a viable and optimal future for TLCY services. An initial five-year Management Agreement, inclusive of a complete Evaluation Matrix and a detailed Governance Framework will be considered prior to enactment of the ADM (for which the target date is October 2018):  
<https://democracy.monmouthshire.gov.uk/ieListDocuments.aspx?CId=144&MIId=2722>
- 3.5 A further report is being considered by Full Council on 15 February 2018 regarding the budget implications of Cabinet's decisions:

<https://democracy.monmouthshire.gov.uk/ieListDocuments.aspx?CId=143&MId=2721>.

- 3.5 The ADM Group will comprise a wholly owned local authority trading company (a Teckal), a charitable arm, and a trading company. This structure allows the group to operate in close partnership with MCC through the Teckal and trading company, whilst having the benefits of independent charitable status for some of the work. The Teckal and trading companies allows greater freedom to engage in trade where it is needed. Services within the Teckal will include green infrastructure, rights of way, countryside access sites, play and tourism /destination development, which the ADM will provide on the Council's behalf under the terms of the management agreement.
- 3.6 The forum is asked to note the position. Further details of the transitional process will be provided to the forum as they develop.

**4. AUTHOR:**

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# Monmouthshire Local Access Forum

**AGENDA ITEM: 6**

**SUBJECT: POTENTIAL LOWER WYE VALLEY CATCHMENTS GREEN  
INFRASTRUCTURE AND NATURAL FLOOD MANAGEMENT PROJECT / UCR'S IN  
TINTERN/ANGIDY  
DATE: 20 FEBRUARY 2018**

**1. PURPOSE:**

- 1.1 To inform Local Access Forum of the funding sought and the proposed approach

**2. RECOMMENDATION:**

- 2.1 For the Forum's consideration and views.

**3. BACKGROUND:**

- 3.1 The condition of key countryside access routes, rights of way, unclassified roads and access routes in Public Forest in the lower Wye Valley is a matter that the LAF has previously discussed along with the potential conflicts around their condition and use. Recent discussions between MCC and NRW have also highlighted the need for a shared and more strategic approach to access management rather than considering routes and issues in isolation.
- 3.2 MCC, the Wye Valley AONB Partnership and NRW have all invested resources into improving the overall outdoor recreation provision in the area. However, there remain a number of specific, significant and complex sites where a more integrated and innovative approach is required to step beyond single-issue solutions to address multiple compounding or cumulative impacts at a landscape or catchment scale, adopting a green infrastructure multifunctional benefit approach.
- 3.3 NRW's new Collaboration Fund has presented an opportunity to develop a proposal for an integrated catchment management based approach. As a result of discussions an Expression of Interest has been prepared and submitted by the AONB on behalf of the AONB, MCC, Wye & Usk Foundation, Gwent Wildlife Trust and Woodland Trust.
- 3.4 This proposes a catchment approach, covering 4 Wye tributaries and 54km<sup>2</sup> of the Wye Valley AONB (see plan below), developing practical sustainable solutions addressing land management, water run-off, access and invasive weed issues through an Integrated Green Infrastructure Strategy. Surface water run-off and flooding impact on people's ability to access and enjoy the countryside.
- 3.5 If successful it would fund a project officer employed by MCC and seconded to the Wye Valley AONB Unit, to work with project partners and interested parties to

strategically identify and address issues relating to access, communities and biodiversity, particularly affected by water run-off. This strategy would investigate outdoor recreation opportunities and constraints across public forest, rights of way and the quiet road-network. This would include key UCRs in the Tintern/Angidy area including Chapel Lane and at Pont y Saeson. A green infrastructure approach would prioritise the outdoor recreation network, incorporating higher level users and well-being objectives for less-able/-active users, assessing projects/proposals, for immediate delivery or further funding.

3.6 The results of the EOI should be known prior to the LAF meeting. If approved to the next stage a full application will be required which if successful would allow the project to commence in Summer 2018 for 18 months.

3.9 The forum's views are sought.

4. **AUTHOR:**

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